



UNITED STATES PATENT AND TRADEMARK OFFICE

ahn
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/060,776

02/01/2002

Chih-Chen Chang

MR2381-85

8215

4586

7590

01/31/2003

ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER

PAYNE, SHARON E

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 01/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/060,776

Applicant(s)

CHANG, CHIH-CHEN

Examiner

Sharon E. Payne

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the arrangement of the lamps on the tree (claims 3, 4 and 5) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The statute 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: "by the user self" on page 3, line 8; and "to fasten a cluster of the needle-shaped leaves synchronously" on page 3, lines 17-18. *This application will not be allowed without a significant revision of the specification.*

Claim Objections

3. Claims 1-8 are objected to because of the following informalities: the word "lamp" in line 1 of each claim should be "lamps".

4. Claim 1 is objected to because of the following informalities: the word "braches" should be "branches" in line 5; the word "lamp" should be "lamps" in line 6; the phrase "more

than one palm-shaped branches" in lines 6-7 should be "more than one palm-shaped branch"; and the word "is" in line 10 should be "are."

Claim 1 recites the limitation "the cord part" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the tip end" in line 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the cords" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the core shaft" in line 9. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the clusters" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 is objected to for reciting the limitation "more than one palm-shaped branches" in lines 6-7. Aside from the grammatical error discussed above, the tree branches and the light string branches are being referenced in this claim as "branches". Different language should be used for the light string branches.

Claim 1 is objected to for reciting the limitation "synchronously" in line 10. This is a poor choice of words, because "synchronously" deals with timing. What is meant by this word?

Claim 1 is objected to for reciting the limitation "more than one palm-shaped branches" in lines 6-7. Aside from the grammatical error discussed above, the tree branches and the light string branches are being referenced in this claim as "branches". Different language should be used for the light string branches.

Claim 1 is objected to for reciting the limitation "synchronously" in line 10. This is a poor choice of words, because "synchronously" deals with timing. What is meant by this word?

5. Claim 2 is objected to because of the following informalities: the word "plug" should be "plugs" in line 3; and the word "socket" should be "sockets" in line 3.

Claim 2 is objected to for reciting the limitation "a couple of plug and socket built on both ends separately" in lines 2-3. Aside from the grammatical error discussed above, it is not clear whether or not each end of the cord has both a plug and a socket. Please define the configuration more clearly.

Claims 6 and 7 are objected to for reciting the limitation "a local connection unit" in line 5. What is meant by the word "local"?

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. There is no description in the specification for "the feather is in there" (line 5) or "lit-par-lit" (line 3) for claim 1.

Claims 2-8 were necessarily included due to their dependency.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hellrich (U.S. Patent 3,118,617).

Regarding claim 1, as best understood, Hellrich discloses strings of decorating lamps (Fig. 6), branches of the tree and the trunk (Fig. 1), the branches being arranged around the trunk (Fig. 1), the strings of decorating lamps being on the branches (Fig. 1), the cord of the string of decorating lamps having more than one palm-shaped branch which coordinate to the tree branch in shape (Fig. 1), at the tip end a bulb (reference number 3) is built on and connected in electric connection (Fig. 1), and the cords corresponding to the core shaft of the branch are hidden by binding the clusters of needle-shaped leaves on the core shaft with a binding belt (Fig. 4). Hellrich does not disclose a feather.

It would have been obvious to one of ordinary skill in the art to use a feather for decoration in the Hellrich reference. Furthermore, the specification does not deal with a feather, which means that this feature appears to be a typographical error.

Concerning claim 2, Hellrich does not specifically disclose a plug and socket, but it suggests them in Fig. 6.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to put a plug and socket on the Hellrich apparatus to establish an electrical connection as disclosed in Fig. 6.

Regarding claim 3, Hellrich discloses the palm-shaped branches of the string of decorating lamps being arranged in horizontal array around the trunk (Fig. 1), and in stepped construction from the bottom to the top circularly and upward (Fig. 1), and one terminal is connected to the power source (Fig. 6).

Concerning claim 4, Hellrich discloses the palm-shaped branches of the string of decorating lamps being arranged in horizontal array around the trunk (Fig. 1) and in stepped

construction from the top to the bottom circularly and downward (Fig. 1) with one terminal connected to the power source (Fig. 6). (One can start at either the top or the bottom of the tree to define the array in the Hellrich reference.)

Regarding claim 5, Hellrich discloses the palm-shaped branches of the string of decorating lamps being arranged in vertical array along the trunk (Fig. 1), each one of the lamps is retained on a different level but the same orientation on the branches (Fig. 1) with one terminal connected to the power source (Fig. 6). (One can define the array in the Hellrich reference in a horizontal or vertical manner.)

Concerning claim 6, as best understood, Hellrich discloses a string of Christmas tree lights wherein, in the connection of the palm-shaped branches and the branch of the tree, all or part of the palm-shaped branches of the strings of decorating lamps in the same branch consist of a local connection unit (Fig. 6).

Regarding claim 7, as best understood, Hellrich discloses a string of Christmas tree lights wherein, in the connection of the palm-shaped branches and the branch of the tree, all or part of the palm-shaped branches of the strings of decorating lamps in the same branch consist of a local connection unit (Fig. 6).

Allowable Subject Matter

10. Claim 8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter. While Hsu (U.S. Patent 6,257,738) discloses the lamp holder for the bulb having a retainer for

fastening on the tip end of the cluster of the needle-shaped leaves (Fig. 1), Hsu and Hellrich cannot be combined because they do not suggest each other.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. *Please refer to these references when rewriting the claims.*

Gauthier et al. (U.S. Patent 4,161,768) discloses an artificial Christmas tree.

Carroll (U.S. Patent 5,550,720) discloses an artificial Christmas tree with electric separable segments.

Eckert (U.S. Patent 3,296,430) discloses a tree lighting system.

Lu (U.S. Patent 3,603,780) discloses an artificial tree structure.

Korb et al. (U.S. Patent 3,704,366) discloses an outdoor lighted artificial Christmas tree.

Hunt (U.S. Patent 3,735,117) discloses an electrified plastic Christmas tree.

Huppert et al. (U.S. Patent 4,364,102) discloses an internally lighted decorative display.

Shieh (U.S. Patent 6,254,250 B1) discloses a decorative light tree set.

Royston et al. (UK Patent Application GB 2,161,595) discloses a lighting system for trees or plants.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharon E. Payne whose telephone number is (703) 308-2125. The examiner can normally be reached on regular business hours.

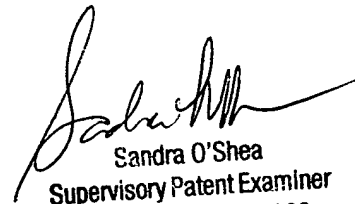
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Application/Control Number: 10/060,776
Art Unit: 2875

Page 8

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

sep
January 24, 2003



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800